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§15–122.3.

(a) (1) In this section the following words have the meanings indicated.

(2) “Available income” means the portion of income of a Program recipient that the Program recipient is required to contribute to the cost of care for the Program recipient under the Program.

(3) “Disabled person” has the meaning stated in § 13–101 of the Estates and Trusts Article.

(4) “Guardian” means:

(i) A guardian of the person; or

(ii) A guardian of the property.

(5) “Guardian of the person” means a person who has been appointed by a court as a guardian of the person of a disabled person under § 13–705 of the Estates and Trusts Article.

(6) “Guardian of the property” means a person who has been appointed by a court as a guardian of the property of a disabled person under § 13–201 of the Estates and Trusts Article.

(7) “Guardianship services” means services provided to a recipient who is a disabled person by a guardian while acting in the capacity as a guardian.

(8) “Recipient” means a Program recipient who receives long-term care services and supports under the Program.

(b) Subject to subsection (c) of this section, when determining the available income of a recipient who is a disabled person and has a guardian, the Department shall include as part of the personal needs allowance guardianship fees payable for guardianship services.

(c) The personal needs allowance for guardianship fees shall be as follows:

(1) If one person is serving as both the guardian of the person and the guardian of the property of the recipient, the personal needs allowance shall be \$50 per month; and

(2) If one person is serving as the guardian of the person of the recipient and a different person is serving as the guardian of the property of the recipient, the personal needs allowance shall be \$50 per month for each guardian.

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